



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING DEPARTMENT HEARING

*Promoting the wise use of land
Helping build great communities*

MEETING DATE May 20, 2016	CONTACT/PHONE Jo Manson (805) 781-4660 jmanson@co.slo.ca.us	APPLICANT Debra Musch, Sandra Bush, Doris Radley, Donnie Apple	FILE NO. COAL 16-0123 SUB2015-00053
SUBJECT A request by DEBRA MUSCH, SANDRA BUSH, DORIS RADLEY AND DONNIE APPLE for a Lot Line Adjustment (COAL 16-0123) to adjust the lot lines between two parcels of approximately 4 and 6 acres each. The adjustment will result in two parcels of approximately 5.0 acres each. The project will not result in the creation of any additional parcels. The proposed project is located within the Residential Suburban land use category and is located at 685, 719 and 723 Story Street, approximately 0.32 mile east of the intersection of Story Street and Orchard Road in the community of Nipomo. The site is in the South County Sub-Area of the South County planning area.			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 16-0123 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 5 Categorical Exemption (ED15-249) was issued on April 8, 2016.			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 092-154-026	SUPERVISOR DISTRICT(S): 4
PLANNING AREA STANDARDS: None applicable.			
LAND USE ORDINANCE STANDARDS: 22.22.070 – Subdivision design standards for the Residential Suburban land use category			
EXISTING USES: Three single family homes, residential accessory structures			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban/single family residences East: Residential Suburban/single family residences South: Residential Single-Family/single family residences West: Residential Single-Family/single family residences			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Nipomo Community Services District and South County Advisory Council			
TOPOGRAPHY: Nearly level.		VEGETATION: California annual grassland, shrubs, oaks, ornamentals	
PROPOSED SERVICES: Water supply: Nipomo Community Services District Sewage Disposal: Individual septic system Fire Protection: CAL FIRE		ACCEPTANCE DATE: April 8, 2016	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

DISCUSSION

Government Code Section 66412(d) – Lot Line Adjustments

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels (*Senate Bill 497*). In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan policies and requirements.

Title 21 / Real Property Division Ordinance

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

Proposed Adjustment

The applicant is proposing to adjust the lot lines between two legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
4 acres	5.0 acres
6 acres	5.0 acres

Existing Parcel 1 (4 acres) is developed with two single family residences, a detached garage and a shed. The residences were built in 1950 and 1959. Existing Parcel 2 (6 acres) is developed with a single family residence and a detached garage. Currently the legal parcel boundary line runs through the residence at 719 Story Street. The purpose of the adjustment is to adjust the boundary line to remove it from the residential structure and provide an adequate side setback.

The minimum parcel size as required in Section 22.22.070 for the Residential Suburban land use category is based on slope and the type of water supply and sewage disposal facilities that serve the project site. The proposed 5.0 acre parcels meet all of the test's minimum parcel size of one (1) acre.

The adjustment will result in the reconfiguration of the two (2) parcels to reflect the existing uses on the site and will maintain a position which is "better than or equal to" the existing situation relative to the county's zoning and building ordinances. The proposed lot line adjustment does not create more development potential than what exists today.

Ordinance Compliance

Staff has concluded that the proposed adjustment is equal to or better than the existing situation and is also consistent with both state and local law because the lot line adjustment is a remedy for the current boundary line running through a residence and will correct the building setback encroachment that currently exists.

AGENCY REVIEW

Public Works – Concurs with proposed adjustment. No concerns.

Nipomo Community Services District – Concurs with proposed adjustment. Currently there are two (2) water meters located on the existing four acre parcel and none on the existing six acre parcel. The applicant is coordinating with the Nipomo Community Services District to relocate one of the water meters to the existing six acre parcel. Subsequently the two residences on the existing four acre parcel will share a water meter.

South County Advisory Council – Recommended approval of the project at their March 28, 2016 meeting.

LEGAL LOT STATUS

The two existing parcels are part of Lot 19 of the Resubdivision of part of Lot 26 of H.C. Ward's Subdivision of the Nipomo Rancho and were legally created by deed at a time when that was a legal method of creating parcels.

ATTACHMENTS

Attachment 1 - Findings

Attachment 2 - Conditions of Approval

Attachment 3 - Project Graphics

Attachment 4 - Project Referral Responses

Staff report prepared by Jo Manson and reviewed by Terry Wahler, Senior Planner.